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January 30, 2018

VIA: ECF filing

Honorable Joseph F. Bianco
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza
P.O. Box 830
Central Islip, New York 11722

Re: Smith v. County of Suffolk
Docket No. 16-CV-2951 (JFB)(AYS)

Dear Judge Bianco:

My office represents the Plaintiffs and Opt-in Plaintiffs in this action. Pursuant to the Court's December 19, 2017 Status Report Order, kindly accept this correspondence as the parties' joint status report.

While the parties are still communicating about resolution, it has been determined that a settlement of the Plaintiffs' and Opt-in Plaintiffs' claims cannot be reached at this time.

Thus, it is the parties' respectful request that this action no longer be referred to mediation and that this matter be sent to Magistrate Judge Shields to oversee the completion of discovery.

The parties have filed a proposed scheduling order for Magistrate Judge Shields' review and approval.

Thank you for your time and attention to this matter.

Yours truly,

Justin M. Reilly

cc: Matthew J. Mehnert, Esq.